

REMARKS

Claims 1, 3-7 and 9-20 are pending in the application. It is gratefully acknowledged that Claims 14-20 have been allowed. It is also gratefully acknowledged that Claims 6 and 13 have been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Examiner has rejected Claims 1, 3-5 and 7-12 under 35 U.S.C. §103(a) as being unpatentable over Blakeney, II et al. (U.S. Patent 5,490,165) in view of Naruse et al. (U.S. Patent 6,263,010).

The Examiner rejected Claims 1, 3-5 and 7-12 under 35 U.S.C. §103(a). In the Response to Arguments section of the Office Action on page 2, the Examiner states that the claims do not recite that the multi-carriers use the same PN code phase values. Claims 1 and 7 have been amended to recite that the multi-carriers use the same PN code phase values.

The Examiner has yet to address the recitation of the claims of the present application that the minimum phase variations period is based on PN energy information. FIG. 5 and FIG. 8 of Naruse et al. clearly show that the phase variation is initially set and not affected by subsequent steps in the process. It is again respectfully requested that the Examiner properly address this element of the claims.

Also, the Examiner states that "search starting points" is disclosed by Naruse et al., but does not address the argument raised in the after final Response. Claims 1 and 7 have been further amended to recite that the search starting points are determined by dividing the entire phase area into separate sections. This element is not taught or disclosed by the cited references.

Based on the foregoing amendments and arguments, withdrawal of the rejections of Independent Claims 1 and 7 is respectfully requested.

Independent Claims 1 and 7 as amended are believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 3-6 and 9-13, these are likewise believed to be allowable by virtue of their dependence on their respective amended independent claims. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 3-6 and 9-13 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1, 3-7 and 9-

20, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Farrell", written in a cursive style.

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